

REMARKS

Summary of Amendments to the Claims

1. Claim 12 has been amended as suggested by the Examiner to address an informality. The dependency of claim 12 has been changed from “claim 6” to “claim 11.”

Response to Items in “Detailed Action”

The following comments are submitted in response to the items set forth in the “Detailed Action.”

Claim Objections

1. Claim 12 has been amended as suggested by the Examiner.

Claim Rejections – 35 USC S 103

3. Claims 1, 6-8, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yabuuchi (U.S. 5,945,267).

Applicants agree with the Examiner’s analysis that Yabuuchi teaches a silver halide color photographic light sensitive material comprising a support having thereon photographic component layers including a silver halide emulsion layer, at least one of the component layers containing a coupler of his invention. Applicants further agree that Yabuuchi teaches that the component layer containing the coupler preferably further contains a polymeric compound having a repeat unit represented of Formula (2) (col. 24, line 24-32), in which A and B each represent an ethylenic unsaturated compound which is copolymerizable.

The Examiner has further stated that “As one of the examples for the ethylenic unsaturated compound, Yabuuchi teaches N-(1,1-dimethyl-3-hydroxybutyl)methacrylate. Therefore, it would have been obvious to one of ordinary skill in the art to use the monomer of N-(1,1-dimethyl-3-hydroxybutyl)methacrylate to form the repeating unit of “A” in the formula shown above with a reasonable expectation of obtaining a silver halide photographic light sensitive material having high sensitivity and low fog and superior storage stability.”

Applicants respectfully disagree that Yabuuchi *teaches* “N-(1,1-dimethyl-3-hydroxybutyl)methacrylate.” There is no chemical compound known to Applicants which corresponds to “N-(1,1-dimethyl-3-hydroxybutyl)methacrylate.” The prefix “N-“ is commonly accepted nomenclature to indicate the presence of nitrogen or an N-containing substituent in the molecule being named. But there is no corresponding part in the name – “N-(1,1-dimethyl-3-hydroxybutyl)methacrylate” - to indicate what kind of N-containing substituent is meant. Since Yabuuchi does not supplement this description (i.e., the chemical name) with a chemical formula or structure, there is no way to discern whether Yabuuchi meant N-(1,1-dimethyl-3-hydroxybutyl)methacrylamide or some other compound. Since N-(1,1-dimethyl-3-hydroxybutyl)methacrylate doesn’t exist, it is neither accurate nor reasonable to assert that Yabuuchi *teaches* “N-(1,1-dimethyl-3-hydroxybutyl)methacrylate.”

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Since the Examiner has cited no other reference in the rejection of claims 1, 6-8 and 11, and all of the Examiner's arguments are predicated on the assumption that Yabuuchi's teachings are valid and complete and that "N-(1,1-dimethyl-3-hydroxybutyl)methacrylate" exists, Applicants believe that the rejection should be withdrawn.

Applicants respectfully request that claims 1, 6-8, and 11 be allowed.

Allowable Subject Matter

4. Claims 2-5, 9, 10, and 13 are objected to as being dependent upon a rejected base claim.

Applicants believe, as argued above, that the base claims are patentable, and therefore that claims 2-5, 9, 10, and 13 are in condition for allowance as written. Applicants respectfully request that claims 2-5, 9, 10, and 13 be allowed.

5. Claims 14-26 are allowed.

Applicants agree with the Examiner's analysis of the basis of patentability for these claims.

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In view of the foregoing, allowance of the above-referenced application is respectfully requested.

Respectfully submitted,

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